

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

---

**UNITED STATES OF AMERICA,**

**v.**

**(1) STRYKER BIOTECH, LLC,**

**(2) MARK PHILIP,**

**(3) WILLIAM HEPPNER,**

**(4) DAVID ARD and**

**(5) JEFFREY WHITAKER,**

**Defendants.**

---

**Criminal No.: 09-CR-10330-GAO**

**GOVERNMENT’S SUPPLEMENTAL PROPOSED EXHIBIT LIST**  
**(IN JERS FILE FORMAT)**

The government hereby supplements its proposed exhibit list and gives notice that it may submit the following evidence (including any relevant metadata in the documents identified) as exhibits during its case-in-chief. The exhibits that have been supplemented are proposed exhibits 145.001, 159.001, 198.001, 212.001, 274.046, 274.047, 418, 419, 420.001-420.007, 421, 422, and 423. A complete copy of previously identified proposed exhibit 102 has been substituted, a corrected description of proposed exhibit 119 has been substituted, a more legible copy of exhibit 155 has been substituted, and an extraneous page from proposed exhibit 227 has been removed. The government reserves the right to supplement, modify, or withdraw from this list, and reserves the right to submit any evidence on Defendants’ Consolidated Proposed Exhibit List:

Ex. #	Filename
1	001_Email from Julie Young.pdf
2	002_Email from Jeff Whitaker to Stephanie Sneed.pdf
3	003_Email from Kevin Schneider to Boyer and Biotech_Marketing and Sales.pdf
4	004_Email from Ellosio to Thomas McNally.pdf

5	005_Email from Denney to Strong.pdf
6	006_Email from Demming to Murphy.pdf
7	007_Email from Elloso to Loanna Molesa.pdf
8	008_Email from Allard to Dr Vranos.pdf
9	009_4th Annual Stryker Biotech NSM Powerpoint Phoenix Arizona.pdf
10	010_DVD Dr Kurz OP-1-TCP Mixing Video.wmv
11	011_Email from Demming to Murphy.pdf
12	012_Email from Houghton to Ring.pdf
13	013_Email from Elloso to Murphy.pdf
14	014_Email from Elloso to Hellwig.pdf
15	015_Email from Demming to C Feola.pdf
16	016_Email from Martin to Furjanic.pdf
17	017_Email from Demming to Farley at UPMC.pdf
18	018_2006-05-03 Email Heppner to Haggarty Higinbotham and Whitaker cc Kurz.pdf
19	019_Email from Carver to Higinbotham.pdf
20	020_2006-06-20 Memo from David Langlais to Global References 06-029.pdf
21	021_Email from Whitaker to Lippe.pdf
22	022_Email from Miller to Miller.pdf
23	023_2006-07-26 Email Whitaker to Higinbotham.pdf
24	024_Letter from Ring to Huntington Memorial Hospital.pdf
25	025_2006-09-01 Memo from David Langlais to Global References 06-044.pdf
26	026_2006-09-20 Mixing Instructions-Handwritten Letter-OP-1 Efficacy Handout-Chris Ring Business Card.pdf
27	027_Email from Sneed to Campbell.pdf
28	028_Email from Sneed to tetryker.pdf
29	029_Email from Sneed to Campbell.pdf
30	030_2006-09-29 Mixing Instructions and Chris Ring's Business Card.pdf
31	031_Email from Campbell to Sneed.pdf
32	032_Email from Sneed to Dr Pikus.pdf
33	033_Email from Sneed to Travis Campbell.pdf
34	034_Email from Whitaker to Sneed.pdf
35	035_Email from Ard to Blooston.pdf
36	036_Email from Whitaker to Sneed.pdf
37	037_Email from Sneed to Craig Black with mixing instructions.pdf
38	038_Email from Sneed to Campbell.pdf
39	039_Email from Demming to Intrieri.pdf
40	040_Email from Martin to Dugan.pdf
41	041_Email from Martin to Furjanic.pdf
42	042_Email from Pisarello to Karam.pdf
43	043_Email from Miller to Hammond.pdf
44	044_Email from Martin to Furjanic.pdf
45	045_Email from Dopson to Lippe.pdf
46	046_Email from Sneed to Grant.pdf

47	047_2007 Business Plan- Stryker Biotech by Tricia Gaston Sales Trainer & TM.pdf
48	048_Email from Martin to Furjanic.pdf
49	049_Email from Demming to Intrieri.pdf
50	050_Email from Demming to Hughes.pdf
51	051_Email from Martin to Faught.pdf
52	052_Emails between Waller and Doyle.pdf
53	053_Email from Gaston to Dr Ipsen.pdf
54	054_Email from Pisarello to Karam.pdf
55	055_Email from Doyle to Sue Gil.pdf
56	056_Email from Demming to Dr Welker.pdf
57	057_Email from Whitaker to Sanat.pdf
58	058_Email from Whitaker to Heppner.pdf
59	059_Email from Huston to Garcia.pdf
60	060_Email from Demming to Robinson at UPMC.pdf
61	061_Email from Demming to Melvila.pdf
62	062_Email from Blooston to Blooston Attached- Dr Banks Mixing OP1doc.pdf
63	063_Email from Demming to Hobbs.pdf
64	064_Email from Ring to Wilson.pdf
65	065_2007-07-27 Email from Ring to Ard.pdf
66	066_Email from DiProfio to Martin Shipley Denney.pdf
67	067_Email from Ring to Ard.pdf
68	068_Email from Ring to Ard.pdf
69	069_Email from Ard to Amber D.pdf
70	070_Email from Ard to Bloome.pdf
71	071_Email from Ring to Ard.pdf
72	072_Email from Ring to Ard.pdf
73	073_Email from Demming to Nigro.pdf
74	074_Email from Demming to Nigro Attached OP-1 mixing instructions.pdf
75	075_Email from Sneed to Romfo.pdf
76	076_Email from Sneed to Romfo.pdf
77	077_Email from Whitaker to SE Region.pdf
78	078_Email from Mayes in response to Sample.pdf
79	079_Email from Demming to Sanat.pdf
80	080_Email from Demming to Hobbs.pdf
81	081_Email from Demming to Ullum.pdf
82	082_Email from Demming to Ullum.pdf
83	083_Gaston notes.pdf
84-001	084-001_MDR 2006-00010.pdf
84-002	084-002_MDR 2006-00003.pdf
84-003	084-003_MDR 2006-00004.pdf
84-004	084-004_MDR 2006-00015.pdf
84-005	084-005_MDR 2006-00016.pdf
84-006	084-006_MDR 2006-00019.pdf

84-007	084-007_MDR 2006-00022.pdf
84-008	084-008_MDR 2006-00020.pdf
84-009	084-009_MDR 2006-00022.pdf
84-010	084-010_MDR 2006-00021.pdf
84-011	084-011_MDR 2006-00016.pdf
84-012	084-012_MDR 2006-00008.pdf
84-013	084-013_MDR 2006-00007.pdf
84-014	084-014_MDR 2006-00026 (1).pdf
84-015	084-015_MDR 2006-00044 (1).pdf
84-016	084-016_MDR 2007-00005 (0).pdf
84-017	084-017_MDR 2007-00013 (0).pdf
84-018	084-018_MDR 2007-00005 (1).pdf
84-019	084-019_MDR 2007-00094 (0).pdf
84-020	084-020_MDR 2007-00099 (0).pdf
84-021	084-021_MDR 2007-00100 (0).pdf
84-022	084-022_MDR 2007-00098 (0).pdf
84-023	084-023_MDR 2007-00097 (0).pdf
84-024	084-024_MDR 2007-00102 (0).pdf
84-025	084-025_MDR 2007-00096 (0).pdf
84-026	084-026_MDR 2007-00015 (0).pdf
84-027	084-027_MDR 2007-00018 (0).pdf
84-028	084-028_MDR 2007-00020 (0).pdf
84-029	084-029_MDR 2007-00022 (0).pdf
84-030	084-030_MDR 2005-00024 (0).pdf
84-031	084-031_MDR 2005-00027 (0).pdf
84-032	084-032_MDR 2005-00029 (0).pdf
84-033	084-033_MDR 2006-00048 (0).pdf
84-034	084-034_MDR 2006-00050 (0).pdf
84-035	084-035_MDR 2006-00052 (0).pdf
84-036	084-036_MDR 2006-00054 (0).pdf
84-037	084-037_MDR 2006-00056 (0).pdf
84-038	084-038_MDR 2006-00058 (0).pdf
84-039	084-039_MDR 2006-00059 (0).pdf
84-040	084-040_MDR 2006-00061 (0).pdf
84-041	084-041_MDR 2006-00064 (0).pdf
84-042	084-042_MDR 2006-00065 (0).pdf
84-043	084-043_MDR 2006-00068 (0).pdf
84-044	084-044_MDR 2006-00069 (0).pdf
84-045	084-045_MDR 2006-00071 (0).pdf
84-046	084-046_MDR 2006-00072 (0).pdf
84-047	084-047_MDR 2006-00074 (0).pdf
84-048	084-048_MDR 2006-00076 (0).pdf
84-049	084-049_MDR 2006-00078 (0).pdf

84-050	084-050_MDR 2007-00114 (0).pdf
84-051	084-051_MDR 2007-00111 (1).pdf
84-052	084-052_MDR 2007-00099 (1).pdf
84-053	084-053_MDR 2007-00100 (1).pdf
84-054	084-054_MDR 2007-00098 (1).pdf
84-055	084-055_MDR 2007-00097 (1).pdf
84-056	084-056_MDR 2007-00102 (1).pdf
84-057	084-057_MDR 2007-00103 (1).pdf
84-058	084-058_MDR 2008-00015 (0).pdf
85	085_Exemplar of OP-1 Implant in box with label.pdf
86	086_Exemplar of OP-1 Putty in box with label.pdf
87	087_Exemplar of Calstrux 5cc.pdf
88	088_Exemplar of Calstrux 10cc.pdf
89	089_Exemplar of Calstrux 15cc.pdf
90	090_OP-1 Implant Package Insert.pdf
91	091_Revised OP-1 Implant Package Insert.pdf
92	092_OP-1 Putty Package Insert.pdf
93	093_Revised OP-1 Putty Package Insert.pdf
94	094_510(k) Summary for Stryker TCP Putty.pdf
95	095_Revised Calstrux Package Insert.pdf
96	096_Stryker Biotech Field Communication Volpa to Sales Force.pdf
97	097_Stryker Biotech Response Letter to FDA Questions about 510(k).pdf
98	098_TCP Putty Marketing Update.pdf
99	099_Stryker Biotech Customer Letter.pdf
100	100_2005-10-31 Sales Representative Observation Sheet.pdf
101	101_2005-11-14 Email from Ard to Buffo.pdf
102	102_Stryker Biotech SWOT Analysis.pdf
103	103_Shane Doyle Sales Rep Performance Review.pdf
104	104_2006-01-07 Email from Philip to Yung et al and VP Meeting Minutes.pdf
105	105_TCP Update.pdf
106	106_TCP Update.pdf
107	107_Comments from Regional sales managers.pdf
108	108_Comments from Regional sales managers.pdf
109	109_Handwritten Notes Calstrux-Spine.pdf
110	110_Dr Fishgrund Invoice Feb 2006.pdf
111	111_Dear Doctor Draft from Dr Silverman.pdf
112	112_Dear Doctor Letter with handwriting.pdf
113	113_Philip Notes Calstrux Marketing Plan.pdf
114	114_Post-marketing Adverse Events OP-1 Implant-Calstrux Combined Use with handwriting.pdf
115	115_Email from Ryan Denney to Whitaker Idris Ard Murphy and Heppner.pdf
116	116_Email from Idris to Heppner Denney Ard et al.pdf
117	117_Email from Whitaker to Heppner.pdf

118	118_Memo with handwriting from Philip to Alford.pdf
119	119_Memo from Alford to Philip.PDF
120	120_2006-03-15 Email chain between Ard and Denney et al.pdf
121	121_Email from Heppner to Espo.pdf
122	122_Emails between Philip and Kurz.pdf
123	123_Email from Heppner to Kurz.pdf
124	124_Email from Philip to Idris.pdf
125	125_Email from Philip to Alford.pdf
126	126_Email from Philip to Heppner.pdf
127	127_Email from Whitaker to Heppner.pdf
128	128_Email from Lisa Lennek.pdf
129	129_Handwritten Notes Too harsh.pdf
130	130_Dear Doctor Letter re AE with Calstrux in combination with OP-1.pdf
131	131_Slideshow Calstrux Safety complaints and Plan of Action.pdf
132	132_Email from Lee Petrides.pdf
133	133_Email from Mark Philip.pdf
134	134_Emails between Sernatinger and Philip et al.pdf
135	135_Email from Idris to Houghton.pdf
136	136_Email from Heppner to Sales Team.pdf
137	137_Email from Philip to Houghton.pdf
138	138_Email from Martin to Denney.pdf
139	139_Email from Houghton to Idris.pdf
140	140_Email from John Houghton.pdf
141	141_Email from Bill Heppner to the sales team about the prospective Calstrux Letter.pdf
142	142_Email string between Heppner and Philip.pdf
143	143_Email from Heppner to Cameron et al.pdf
144	144_Email from Philip to Yung et al.pdf
145	145_Kurz Brick vs Traditional Instrumented PLF Presentation.pdf
145-001	145-001_Kurz Brick vs Traditional Instrumented PLF Presentation.PDF
146	146_Email to Dr Patel from Ard.pdf
147	147_Email from Philip to Heppner.pdf
148	148_Email from Philip to Dr Patel.pdf
149	149_Handwritten Letter Patel to Philip.pdf
150	150_Email from Philip to Bergy.pdf
151	151_Email from Haggarty to HCA.pdf
152	152_Email from Philip to FoxSmith.pdf
153	153_Email from Alford to Philip.pdf
154	154_Calstrux Scenario Analysis with handwriting.pdf
155	155_Regulatory Affairs Considerations Global Perspective.pdf
156	156_MidYear Sales Meeting.pdf
157	157_Regulatory Action Summary.pdf
158	158_Stryker Corporation Board Meeting Minutes Excerpts (As Produced).pdf
159	159_FDA Questions from Letter of Deficiency.pdf

159-001	159-001_Response to Questions from Letter of Deficiency.PDF
160	160_Email from Mayes to Roshi LNU.pdf
161	161_Email from Whitaker to Haggarty.pdf
162	162_Important Safety Alert - Calstrux-Letter to doctors from Julie Krop.pdf
163	163_Email from Whitaker to Haggarty.pdf
164	164_Sales Training Class September 2006.pdf
165	165_2006-09-10 Consulting Receipts for Tushar Patel.pdf
166	166_Email from Murphy to New Albany Surgical Hospital.pdf
167	167_Text with Email String between Heppner and Whitaker.pdf
168	168_Product Approval and Labeling in the United States Slideset.pdf
169	169_Feedback from Philip to Eltringham on Top 5 Priorities.pdf
170	170_Email from Doyle to Ard.pdf
171	171_Email from Idris to Saur.pdf
172	172_2007-05-04 UMC Pricing Proposal.pdf
173	173_Email from Peter Murphy.pdf
174	174_2006-07-11 Operative Report.pdf
175	175_2007-05-25 Operative Report.pdf
176	176_CT scan of pelvis.pdf
177	177_Ectopic Bone Formation Case Report Abstract.pdf
178	178_2010-05 Ectopic Bone Formation in the Pelvis-A Case Report.pdf
179	179_Email from Boyer to Eltringham.pdf
180	180_2007-07-18 OP-1 Q3 Quarterly Meeting Slideset.pdf
181	181_Email from Darnell Martin.pdf
182	182_Email from Whitaker to SE Region.pdf
183	183_Email from Whitaker to Pisarello.pdf
184	184_2007-09-24 Email Eltringham to Sample Ross and Martin cc Boyer.pdf
185	185_Emails involving Sample and Bowlin.pdf
186	186_2007-10-11 Scripps Pricing Proposal.pdf
187	187_2007-10-19 Email Sample to Ross cc Heppner and Martin.pdf
188	188_2007-11-01 Email Sample to Ross cc Heppner and Martin.pdf
189	189_Emails between Lopez Sample and others.pdf
190	190_Email from Lippe to Boyer.pdf
191	191_2007-12-14 PowerPoint-Calstrux Global Usage Trends.pdf
192	192_Email from Boyer to Eltringham.pdf
193	193_2008-04-25 FDA Warning Letter.pdf
194	194_Email from Mayes to Dr Gelb.pdf
195	195_Calstrux Preparation- Evolution.pdf
196	196_OP-1/TCP Putty- A retrospective review of 25 Patients.pdf
197	197_Table of 102 patient analysis Post-marketing adverse events OP-1.pdf
198	198_Powerpoint Calstrux - Jeffrey Fischgrund Lawrence Kurz November 2006.pdf
198-001	198-001_Calstrux Presentation-Fischgrund and Kurz.pdf
199	199_Espo's invitation to DrKuhns to Emerging Leaders meeting.pdf
200	200_Emerging Leaders Agenda.pdf

201	201_Retrospective Review-William Beaumont Hospital.pdf
202	202_Letter from DHHS to Amy J Laforte.pdf
203	203_Sales Process Meeting Key Action Items-Dec 3rd.pdf
204	204_Pre-PMA Strategy Update 2-2-2005.pdf
205	205_Email from Boyer to Philip.pdf
206	206_Email from Boyer to Eltringham.pdf
207	207_Pre-PMA Patient Analysis 03-25-2005.pdf
208	208_Pre-PMA Patient Analysis 03-25-2005.pdf
209	209_Email from Philip to Reali Houghton Renker.pdf
210	210_Emails involving Barnett Boyer and Houghton.pdf
211	211_Emails between Boyer Eltringham DiProfio et al.pdf
212	212_Sales Summit Meeting Notes 4-22-2005.pdf
212-001	212-001_Email from Houghton Kenneth.pdf
213	213_Outlook Entry Meeting 4-26-05.pdf
214	214_Sales Plan May 2005 with handwriting.pdf
215	215_Letter from Heppner Sales Force Optimization.pdf
216	216_Letter from Heppner Sales Force Optimization.pdf
217	217_Email from Martin to Heppner.pdf
218	218_2005-06-05 Email from Philip to Houghton.pdf
219	219_Global Sales & Marketing Update John Houghton.pdf
220	220_Business and Program Quarterly Review.pdf
221	221_Email from Philip to Mitoko.pdf
222	222_2006 Budget President's Memo.pdf
223	223_Two Dose Vial Needs Analysis.pdf
224	224_Email from C Boyer to S Eltringham.pdf
225	225_Short Term Sales Challenge with handwriting.pdf
226	226_2006 Sales Quotas.pdf
227	227_Email from Philip to Houghton with Notes from Sales Meeting.pdf
228	228_OP-1 Putty H020008 Annual Report.pdf
229	229_DHHS Letter to Supko re-H020008/R2.pdf
230	230_DHHS Letter to Supko re-H020008/R2.pdf
231	231_Response to 2006-06-30 Deficiency Letter.pdf
232	232_Email from Whitaker to Heppner.pdf
233	233_Email from Philip to Renker.pdf
234	234_2007 Biotech President's Letter.pdf
235	235_2007 Biotech Budget.pdf
236	236_2007 Biotech Budget-This is THE Budget.pdf
237	237_Email from Philip to Ard Whitaker Denney and Murphy.pdf
238	238_Email from Philip to Heppner.pdf
239	239_Email from Philip to Whitaker.pdf
240	240_Email from Supko to Falb et al and Final Draft 2007 OP-1 Putty AR.pdf
241	241_Letter from Donna E Supko to CDRH with 2007 Annual Report for HDE for OP-1 Putty.pdf



242	242_Emails from Mark Philip to Yung et al.pdf
243	243_2007-06-19 Email from Heppner to Whitaker et al.pdf
244	244_Email from Philip to Sernatinger.pdf
245	245_2007-10-11 email from Waswill to others.pdf
246	246_Email from Shapiro to Philip.pdf
247	247_Emails between Shapiro and Philip.pdf
248	248_Email from Philip to Shaprio.pdf
249	249_2008 Biotech President's Letter.pdf
250	250_Email from Philip to Yung et al.pdf
251	251_Email from Philip to Shapiro.pdf
252	252_Meeting record Philip Sernatinger Renker Ramsdell.pdf
253	253_Sernatinger 19 Nov 07.pdf
254	254_Emails between Shapiro and Philip.pdf
255	255_Email from Eltringham to Young.pdf
256	256_Email from Heppner to Renker.pdf
257	257_2008-02-21 Email from Plaza to Philip.pdf
258	258_Email chain between Ard J Whitaker R Denney and B Heppner.pdf
259	259_Emails between Heppner Renker and others.pdf
260	260_Email from Whitaker to Espo.pdf
261	261_2008-02-22 Email from Philip to Plaza.pdf
262	262_Consignment Sales Apr-07 to Feb-08.pdf
263	263_Letter from Philip to customers.pdf
264	264_RA HDE Cap strategies with handwriting.pdf
265	265_Letter to CDRH from Sarah Hlavachek.pdf
266	266_SYK- Q3 2008 Stryker Earnings Conference Call Final Transcript.pdf
267	267_Handwritten Notes What do only some of the pts buy off label.pdf
268	268_Handwritten Notes diagram.pdf
269	269_HDE Cap Estimates Plan with handwriting.pdf
270	270_Handwritten Notes.pdf
271	271_HDE Cap Estimates Plan with handwriting.pdf
272	272_FDA Letter to Stryker Biotech.pdf
273	273_FDA Letter to Stryker Biotech.pdf
274-001	274-001_Stryker Biotech December 2004 and Year End Report.pdf
274-002	274-002_December and Year End Highlights-Biotech Division.pdf
274-003	274-003_Stryker Biotech January 2005 Report.pdf
274-004	274-004_January Highlights-Biotech Division.pdf
274-005	274-005_Stryker Biotech February 2005 Report.pdf
274-006	274-006_Stryker Biotech March 2005 Report and Highlights.pdf
274-007	274-007_Stryker Biotech April 2005 Report.pdf
274-008	274-008_April Highlights-Biotech Division.pdf
274-009	274-009_2005-06-07 Email from Philip to Kemler and May Monthly Highlights.pdf
274-010	274-010_2005-07-05 Email from Philip to Kemler and June Monthly Highlights.pdf
274-011	274-011_2005-08-08 Email from Philip to Kemler and July Monthly Highlights.pdf

274-012	274-012_2005-09-07 Email From Philip to Kemler and August Monthly Highlights.pdf
274-013	274-013_Stryker Biotech September 2005 Report.pdf
274-014	274-014_September Highlights-Biotech Division.pdf
274-015	274-015_2005-11-04 Email from Philip to Kemler and Oct Monthly Reports.pdf
274-016	274-016_2005-12-08 Email from Philip to Kemler and Nov Monthly Reports.pdf
274-017	274-017_2006-01-09 Email from Philip to Kemler and Dec Monthly Report.pdf
274-018	274-018_2006-02-07 Email from Philip Kemler and Jan Monthly Report.pdf
274-019	274-019_2006-03-07 Email from Philip to Kemler and Feb Monthly Report.pdf
274-020	274-020_2006-04-07 Email from Philip to Kemler and March Monthly Report.pdf
274-021	274-021_2006-05-07 Email from Philip to Kemler and April Monthly Report.pdf
274-022	274-022_2006-06-07 Email from Philip to Kemler and May Monthly Report.pdf
274-023	274-023_2006-07-08 Email from Philip to Kemler and June Monthly Report.pdf
274-024	274-024_Stryker Biotech July 2006 Report prepared by Renker.pdf
274-025	274-025_2006-09-07 Email from Philip to MacMillan and Kemler and August 2006 Highlights.pdf
274-026	274-026_Stryker Biotech September 2006 Report.pdf
274-027	274-027_2006-10-07 Email from Philip to Macmillan and Kemler-Highlights.pdf
274-028	274-028_2006-11-07 Email from Philip to Macmillan and Kemler-Highlights.pdf
274-029	274-029_Stryker Biotech November 2006 Report.pdf
274-030	274-030_November Highlights-Biotech Division.pdf
274-031	274-031_Stryker Biotech December and Year End 2006 Report.pdf
274-032	274-032_Stryker Biotech January 2007 Report.pdf
274-033	274-033_Stryker Biotech February 2007 Report.pdf
274-034	274-034_February 2007 Highlights-Biotech Division.pdf
274-035	274-035_Stryker Biotech April (sic) 2007 Report.pdf
274-036	274-036_2007-05-07 Email from Philip to Kemler and April Monthly Reports.pdf
274-037	274-037_2007-06-08 Email from Philip to Kemler and May Monthly Highlights.pdf
274-038	274-038_2007-07-07 Email from Philip to Kemler and June Monthly Reports.pdf
274-039	274-039_2007-08-07 Email from Philip to Kemler and July Monthly Reports.pdf
274-040	274-040_2007-09-07 Email from Philip to Kemler and Aug Monthly Reports.pdf
274-041	274-041_2007-10-07 Email from Philip to Kemler and Sep Monthly Reports.pdf
274-042	274-042_2007-11-07 Email from Philip to Kemler and Oct Monthly Reports.pdf
274-043	274-043_2007-12-07 Email from Philip to Kemler and Nov Monthly Reports.pdf
274-044	274-044_2008-01-08 Email from Philip to Kemler and Dec Monthly Reports.pdf
274-045	274-045_2008-02-07 Email from Philip to Kemler and Jan Monthly Reports.pdf
274-046	274-046_2007-04-07 Email from Philip to OFlaherty et al.pdf
274-047	274-047_August 2007 Highlights-Biotech Division.pdf
275-001	275-001_Philip 2006 Objectives and Bonus Potential.pdf
275-002	275-002_2006-12-15 Salesforce Monthly Compensation Chart.pdf
275-003	275-003_Philip 2007 Objectives and Bonus with Handwriting.pdf
275-004	275-004_2007-03-06 Email from Capra to Carvalho.pdf
275-005	275-005_2008-01-03 Email from Renker to Hepper and 2007 YTD Compensation.pdf
275-006	275-006_2008 Philip Objectives and Bonus Potential.pdf

275-007	275-007_2008-02-12 Philip Stock Option Statement.pdf
275-008	275-008_2008-03-17 Email from Dillon to Renker and Heppner and 2008 Compensation Summary.pdf
275-009	275-009_2006-2008 Annual Compensation Chart.pdf
276	276_OP-1 Implant Approval Letter.pdf
277	277_ Stryker Biotech Field Communication from Ken Reali to field sales force.pdf
278	278_Cheat Sheet for Rumors in the Field.pdf
279	279_2005 Budget President's Memo.pdf
280	280_2004-11-03 Email from S Koenigsberg to M Cartier.pdf
281	281_2005 Budget Objectives.pdf
282	282_Presentation TCP Biomaterials Synergy.pdf
283-001	283-001_DVD 2005 NSM.wmv
283-002	283-002_DVD Excerpt 2005 NSM.wmv
284	284_AdvaMed and Other Legal Issues Slideset.pdf
285	285_Osteobiologics presentation by Jeffrey Fischgrund.pdf
286	286_Email from Whitaker to Sneed.pdf
287	287_Stryker Biotech Strategic Plan 2005-2015.pdf
288	288_Email from Gaffney to Biggins.pdf
289	289_Email from Whitaker to Sneed.pdf
290	290_Short Term Sales Challenge.pdf
291	291_Email from Whitaker to Sneed.pdf
292	292_Strategic-Risks and Risk Mitigation-August 2 2005- VP Meeting.pdf
293	293_Forecast Assumptions 2006 with handwriting.pdf
294	294_Forecast Assumptions-2006.pdf
295	295_Email from Morollo to Alford.pdf
296	296_Email from Sernatinger to Philip and others.pdf
297	297_Email from Kemler to Philip.pdf
298	298_Email from Whitaker to Heppner.pdf
299	299_Email from Macek to Philip Houghton Barnett.pdf
300	300_Email from Philip to Lancaster.pdf
301	301_2006-03-02 Email Gaston to Idris et al.pdf
302	302_Email from Sernatinger to Falb Philip Silverman Houghton Alford.pdf
303	303_Calstrux Meeting Reminder with Handwriting.pdf
304	304_Email from Macek to Philip Houghton.pdf
305	305_Telephone contact log.pdf
306	306_Minutes.pdf
307	307_Email from Whitaker to Haggarty Heppner Higinbotham.pdf
308	308_Email from Higinbotham to Carver.pdf
309	309_Stryker Biotech strategic plan roundtable discussion 2006 - 2011.pdf
310	310_Doyle's May 16 Representative Briefing.pdf
311	311_Slideset-Calstrux Update.pdf
312	312_Email from Whitaker to Heppner and Murphy.pdf
313	313_Quality Assurance Internal Audit Report with handwriting.pdf

314	314_Calstrux Questionnaire.pdf
315	315_Telephone contact log 2006-01-09.pdf
316	316_Comments 11 June 06.pdf
317	317_Email Philip to Anderson.pdf
318	318_Email from Nebila Idris re- Migration-Addressing the Issue.pdf
319	319_Email from Houts to Alford Sernatinger Leprohon.pdf
320	320_Calstrux Summary.pdf
321	321_Email from Morollo to Idris.pdf
322	322_Regulatory Agency Contact Report Form.pdf
323	323_Email from Philip to Krop and OFlaherty.pdf
324	324_Follow-up and Prep.pdf
325	325_Calstrux Customer Complaint Review Minutes.pdf
326	326_Email from Whitaker to Heppner.pdf
327	327_Email from Philip to Sernatinger.pdf
328	328_Email from Supko to Philip.pdf
329	329_HDE Regulation- Questions and Answers.pdf
330	330_Stryker Regulatory Action and Reportable Event CAPA.pdf
331	331_Heppner-Sales Achievements.pdf
332	332_Email from Whitaker to Higinbotham.pdf
333	333_Minutes.pdf
334	334_Orthopedics Today article.pdf
335	335_Email from Sneed to Whitaker.pdf
336	336_Email from Whitaker to Heppner.pdf
337	337_HDE Information.pdf
338	338_2006 Email from Ard to Patel.pdf
339	339_Email from Ard to Murphy Denney and Whitaker.pdf
340	340_Email from Whitaker to Heppner.pdf
341	341_ Styker Memo Sac with Yellow Fluid.pdf
342	342_Email from Philip to Renker.pdf
343	343_September 2006 Emails.pdf
344	344_OP-1 Approval and Labeling in US Presentation.pdf
345	345_Email Whitaker to Heppner FW-.pdf
346	346_Minutes Calstrux Meeting - CAPA.pdf
347	347_Email from Philip to Renker.pdf
348	348_ Letter to Ring from Heppner.pdf
349	349_ Memo.pdf
350	350_January 2007 Right Stuff Agenda.pdf
351	351_2007 US Marketing Plan Calstrux.pdf
352	352_Email from Buffo to Buffo.pdf
353	353_Carrier Development.pdf
354	354_Memo from VP Regulatory Affairs to Biotech Sales Managers.pdf
355	355_Emails from Philip to Krop.pdf
356	356_2007-01-01 Year-End Letter to West Region.pdf

357	357_Email from Kenneth O'Flaherty to N Idris.pdf
358	358_Delivered Goods Receipt.pdf
359	359_Email from Demming to Dr Kurz and Dr Fischgrund.pdf
360	360_2007 Sales Meeting The Right Stuff.pdf
361	361_DVD 2007 NSM.wmv
362	362_Minutes.pdf
363	363_Memo AAOS Mtg San Diego.pdf
364	364_Email from Gaston to Denney and Heppner.pdf
365	365_Dr Larry Kurz Review of Patient Data.pdf
366	366_Off-Label OP-1 Use in Posterior Lumbar Instrumented Fusions.pdf
367	367_Business and Innovation Quarterly Review.pdf
368	368_Meeting Notes of Visit to Stryker Australia.pdf
369	369_Proposal to St Joseph's Med Center by Steve Eastwood.pdf
370	370_Email from Whitaker to Ross.pdf
371	371_2007-05-24 Email from O'Flaherty with attachment.pdf
372	372_Emails involving Sample Heppner and Whitaker.pdf
373	373_AdvaMed Issues Chart.pdf
374	374_Handwritten Notes.pdf
375	375_Email from Ard to Miller et al.pdf
376	376_Handwritten Notes.pdf
377	377_Spreadsheet with Attendees and Faculty.pdf
378	378_Slides Calstrux (US) September 18 2007.pdf
379	379_Stryker Biotech Presentation.pdf
380	380_Email from Boyer to Eltringham.pdf
381	381_Email from Ard to Eastwood.pdf
382	382_Email from Philip.pdf
383	383_FDA Form 483 to Stryker Biotech.pdf
384	384_Email from Heppner to Martin.pdf
385	385_Adverse Reaction and MDR History.pdf
386	386_Emails between Bono and DiProfio.pdf
387	387_Summary-Standard Orders Jan-08.pdf
388	388_Section I Performance vs Key Objectives.pdf
389	389_Email from Kemler to Philip.pdf
390	390_Fax-Delivered Goods Receipt from St Jude.pdf
391	391_2008-01-29 Letter from MacMillan to Tim Ulatowski.pdf
392	392_Email from Renker to Heppner.pdf
393	393_Letter from Dr Kim to Ard.pdf
394	394_2008-03-07 Email from Sernatinger to Stephen Rhodes.pdf
395	395_2008-03-18 Letter from MacMillan to Tim Ulatowski.pdf
396	396_Email from Ard to Heppner.pdf
397	397_Email from Whitaker to Demming.pdf
398	398_Letter to Biotech Leadership Team.pdf
399	399_Lopez Notes.pdf

400	400_HDE Cap folder.pdf
401	401_Brick Slide.pdf
402	402_Things that would interest the FDA.pdf
403	403_Calstrux and OP-1 (Combined use) Product Adverse Event Trending.pdf
404	404_Bone Morphogenetic Proteins What Works?.pdf
405	405_Letter from Morollo to CDRH including a summary table of adverse events.pdf
406	406_Response to FDA 483.pdf
407	407_Email from Whitaker to Heppner.pdf
408	408_Martin Plea Agreement.pdf
409	409_Demming Plea Agreement.pdf
410	410_Ring Plea Agreement.pdf
411	411_Doyle Plea Agreement.pdf
412	412_Letter from Sernatinger to IRB Chairperson.pdf
413	413_Letter from CDRH to Stryker Biotech.pdf
414	414_Letter from McGovern to CDRH.pdf
415	415_Letter from CDRH to Stryker Biotech.pdf
416	416_Journal Club Emails.pdf
417-001	417-001_IRB Suspension Letter from Stryker Biotech-Cottage Health System.pdf
417-002	417-002_IRB Termination Letter from Stryker Biotech-St Luke's.pdf
417-003	417-003_IRB Termination Letter from Stryker Biotech-Western IRB.pdf
417-004	417-004_IRB Termination Letter from Stryker Biotech-St Elizabeth's.pdf
417-005	417-005_IRB Termination Letter from Stryker Biotech-INTEGRIS.pdf
417-006	417-006_IRB Termination Letter from Stryker Biotech-Oakwood.pdf
417-007	417-007_IRB Termination Letter from Stryker Biotech-Schulman.pdf
417-008	417-008_IRB Termination Letter from Stryker Biotech-Western IRB.pdf
417-009	417-009_IRB Termination Letter from Stryker Biotech-Intermountain.pdf
417-010	417-010_IRB Termination Letter from Stryker Biotech-Texas Health.pdf
417-011	417-011_IRB Termination Letter from Stryker Biotech-Texas Health.pdf
417-012	417-012_IRB Termination Letter from Stryker Biotech-St-Huntington Health.pdf
417-013	417-013_IRB Termination Letter from Stryker Biotech-Western IRB-Longmont.pdf
417-014	417-014_IRB Termination Letter from Stryker Biotech-Western IRB-Jordan Valley.pdf
417-015	417-015_IRB Termination Letter from Stryker Biotech-Concord.pdf
417-016	417-016_IRB Termination Letter from Stryker Biotech-St Anne's.pdf
417-017	417-017_IRB Termination Letter from Stryker Biotech-Newton-Wellesley.pdf
417-018	417-018_IRB Termination Letter from Stryker Biotech-Western IRB- Central FL.pdf
417-019	417-019_IRB Termination Letter from Stryker Biotech-Abbott NW.pdf
417-020	417-020_IRB Termination Letter from Stryker Biotech-Umass Medical.pdf
417-021	417-021_IRB Termination Letter from Stryker Biotech-High Point.pdf
417-022	417-022_IRB Termination Letter from Stryker Biotech-Western IRB-Evergreen.pdf
417-023	417-023_IRB Termination Letter from Stryker Biotech-Texas Health.pdf
418	418_Email from Ard to Region.pdf
419	419_Email from Whitaker to Finch.pdf
420-001	420-001_Stryker Biotech Annual Report 2005.pdf

420-002	420-002_Stryker Biotech Annual Report 2006.pdf
420-003	420-003_Stryker Biotech Annual Report 2007.pdf
420-004	420-004_Stryker Biotech Annual Report 2008.pdf
420-005	420-005_Stryker Biotech Annual Report 2009.pdf
420-006	420-006_Stryker Biotech Annual Report 2010.pdf
420-007	420-007_Stryker Biotech Annual Report 2011.pdf
421	421_IDE Application.pdf
422	422_Email from Philip to Sernatinger.pdf
423	423_MYSM RA Questions.pdf

CARMEN M. ORTIZ  
United States Attorney

By: /s/Jeremy M. Sternberg  
Jeremy M. Sternberg  
Susan G. Winkler  
Gregory F. Noonan  
Assistant United States Attorneys  
One Courthouse Way, Suite 9200  
Boston, MA 02210  
(617) 748-3100

Certificate of Service

I hereby certify that the foregoing documents filed through the ECF system will be sent electronically to counsel for each defendant who is a registered participant as identified on the Notice of Electronic Filing (NEF).

Dated: January 3, 2011

/s/Jeremy M. Sternberg  
Jeremy M. Sternberg  
Assistant U.S. Attorney